

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BRIAN BEMKE, SCOTT COLLETT,
JOHN FERIOZZI, JUDY FINTZ,
SARAH JAMIESON, EVAN JOHNSON,
TRACY LONG and CLIFFORD
NEUMANN, on behalf of themselves and
similarly-situated individuals,

Plaintiffs,

PRELIMINARY INJUNCTION
and DECLARATION

v.

21-cv-560-wmc

AMY PECHACEK, in her official capacity
As Secretary-designee of the State of Wisconsin
Department of Workforce Development,

Defendant.

IT IS ORDERED that:

1. Wis. Stat. § 108.04(12)(f), which provides a blanket denial of unemployment compensation benefits to any individual receiving social security disability insurance benefits, violates the Americans with Disabilities Act and Rehabilitation Act because it has a disparate impact on disabled workers seeking unemployment insurance benefits.
2. Beginning July 20, 2025, defendant Amy Pechacek, in her official capacity as Secretary-designee of the State of Wisconsin, Department of Workforce Development, is enjoined from enforcing Wis. Stat. § 108.04(12)(f).
3. Defendant may have until July 18, 2025, to provide written instructions to Department of Workforce Development employees and any other state employees responsible for processing unemployment claims that the receipt of social security disability insurance benefits is not a valid basis for denying unemployment compensation benefits.

Entered this 14th day of July, 2025.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge